

**CS FOR HOUSE BILL NO. 204(L&C)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 5/18/21

Referred: Rules

Sponsor(s): REPRESENTATIVES KAUFMAN, McCarty, Schrage, Shaw, Nelson

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to the presumption of compensability for a disability resulting from**  
2   **certain cancers in firefighters."**

3   **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4    \* **Section 1.** AS 23.30.121(b) is amended to read:

5           (b) For a firefighter covered under AS 23.30.243,

6               (1) there is a presumption that a claim for compensation for disability  
7           as a result of the following diseases is within the provisions of this chapter:

8                       (A) respiratory disease;

9                       (B) cardiovascular events that are experienced within 72 hours  
10           after exposure to smoke, fumes, or toxic substances; and

11                      (C) the following cancers:

12                               (i) primary brain cancer;

13                               (ii) malignant melanoma;

14                               (iii) leukemia;

- (iv) non-Hodgkin's lymphoma;
- (v) bladder cancer;
- (vi) ureter cancer;
- (vii) kidney cancer; [AND]
- (viii) prostate cancer; **and**
- (ix) breast cancer;**

(2) notwithstanding AS 23.30.100(a), following termination of service, the presumption established in (1) of this subsection extends to the firefighter for a period of three calendar months for each year of requisite service but may not extend more than 60 calendar months following the last date of employment;

(3) the presumption established in (1) of this subsection applies only to an active or former firefighter who has a disease described in (1) of this subsection that develops or manifests itself after the firefighter has served in the state for at least seven years and who

(A) was given a qualifying medical examination upon becoming a firefighter that did not show evidence of the disease;

(B) was given an annual medical exam during each of the first seven years of employment that did not show evidence of the disease; and

(C) with regard to diseases described in (1)(C) of this subsection, demonstrates that, while in the course of employment as a firefighter, the firefighter was exposed to a known carcinogen, as defined by the International Agency for Research on Cancer or the National Toxicology Program, and the carcinogen is associated with a disabling cancer.

\* Sec. 2. AS 23.30.121(f) is amended to read:

(f) In this section, "firefighter" **means**

**(A) a person employed by a state or municipal fire department or who is a member of a volunteer fire department registered with the state fire marshal; or**

**(B) a person registered for purposes of workers' compensation with the state fire marshal as a member of a volunteer fire department** [HAS THE MEANING GIVEN IN AS 09.65.295].

1     \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
2     read:  
3             APPLICABILITY. AS 23.30.121(b) and (f), as amended by this Act, apply to claims  
4     made on or after the effective date of this Act.